IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI

IN RE:	**SHIRLEY ANN DOUGLAS**	**CHAPTER 13 BANKRUPTCY** **CASE NO. 09-13893**

TERRE M. VARDAMAN, TRUSTEE FOR THE ESTATE OF SHIRLEY ANN DOUGLAS — **PLAINTIFF**

V. — **ADVERSARY NO. 10-01187-DWH**

RICHARD B SCHWARTZ, SCHWARTZ AND ASSOCIATES, P.A., VANN F. LEONARD and JOHN DOES — **DEFENDANTS**

ORDER ON MOTION TO STAY ADVERSARY PROCEEDING

THIS CAUSE came on to be heard on Motion To Stay Adversary Proceeding (Doc. #20) filed on behalf of Richard B. Schwartz and Schwartz and Associates, P.A., and the Court, being advised in the premises and having heard arguments in open Court on January 7, 2011, does hereby find and order as follows:

The action pending in United States District Court for the Southern District of Mississippi, Civil Action No. 3:10CV677 DPJ-FKB, was removed from Hinds County Circuit Court, State of Mississippi, to the District Court and said action contains legal malpractice claims of Debtor. The cause of action pending in the United States District Court for the Southern District of Mississippi would not be pending in that Court but for the bankruptcy matters pending in this Court. Therefore, there would be no federal jurisdiction in that case if it were not for the bankruptcy matters. This Court can consider the malpractice claims and all matters in issue.

This Court feels it is improper to stay this Adversary Proceeding in favor of the proceeding pending in the United States District Court for the Southern District of Mississippi.

THEREFORE,

The Motion To Stay Adversary Proceeding shall be and is hereby overruled.

SO ORDERED, ADJUDGED AND DECREED, this the ___ day of January, 2011.

DAVID W. HOUSTON, III
U.S. BANKRUPTCY JUDGE